

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JENNIFER GAXIOLA AGUAYO,

Case No. 1:22-cv-00877-ADA-SKO

Plaintiff,

**ORDER DENYING WITHOUT
PREJUDICE JOINT MOTION FOR
ENTRY OF STIPULATED
PROTECTIVE ORDER**

v.

WALMART, INC., et al.,

(Doc. 16)

Defendants.

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I. INTRODUCTION

On June 7, 2023, the parties filed a joint motion seeking Court approval of their stipulated protective order. (Doc. 16.) The Court has reviewed the proposed stipulated protective order and has determined that, in its current form, it cannot be granted. For the reasons set forth below, the Court DENIES *without prejudice* the parties' request to approve the stipulated protective order.

II. DISCUSSION

A. The Protective Order Does Not Comply with Local Rule 141.1(c)

The proposed protective order does not comply with Rule 141.1 of the Local Rules of the United States District Court, Eastern District of California. Pursuant to Rule 141.1(c), any proposed protective order submitted by the parties must contain the following provisions:

- (1) A description of the types of information eligible for protection under the order, with the description provided in general terms sufficient to reveal the nature of the information (e.g., customer list, formula for soda, diary of a troubled child);
- (2) A showing of particularized need for protection as to each category of information proposed to be covered by the order; and
- (3) A showing as to why the need for protection should be addressed by a court order, as opposed to a private agreement between or among the parties.

1 Local Rule 141.1(c). The stipulated protective order fails to contain this required information.

2 Local Rule 141.1(c)(1) requires “[a] description of the types of information eligible for
3 protection under the order, with the description provided in general terms sufficient to reveal the
4 nature of the information.” The protective order, in its current form, does not comply with this
5 requirement. (*See, e.g.*, Doc. 16 at 2, 3 (defining “confidential information” as “information
6 contained or disclosed in any materials . . . that is deemed to be confidential information by any
7 party to which it belongs”).)

8 The protective order also fails to identify the parties’ need for protection in anything but the
9 most general terms. (*See, e.g.*, Doc. 16 at 1.) As the parties do not present any *particularized* need
10 for protection as to the identified categories of information to be protected, the protective order fails
11 to comply with Local Rule 141.1(c)(2), which requires “[a] showing of particularized need for
12 protection as to each category of information proposed to be covered by the order.”

13 Finally, the requirement of Local Rule 141.1(c)(3) is not at all addressed. In its current form,
14 the protective order does not show “why the need for protection should be addressed by a court
15 order, as opposed to a private agreement between or among the parties.”

16 **B. The Parties’ Stipulated Protective Order is Denied Without Prejudice**

17 The parties may re-file a revised proposed stipulated protective order that complies with
18 Local Rule 141.1(c) and corrects the deficiencies set forth in this order.

19 **III. CONCLUSION AND ORDER**

20 Based on the foregoing, IT IS HEREBY ORDERED that the parties’ joint motion seeking
21 Court approval of their stipulated protective order (Doc. 16) is DENIED without prejudice to
22 renewing the request.

23
24 IT IS SO ORDERED.

25 Dated: June 13, 2023

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE